

# EXHIBIT A

CC: ML+B, Karina, Gaddam,  
Bartolomeo 12/1/2022 LR

MARYELLEN O'SHAUGHNESSY  
CLERK OF THE FRANKLIN COUNTY COMMON PLEAS COURT, COLUMBUS, OHIO 43215  
CIVIL DIVISION

HARRY CROUTHERS  
494 SOUTH HAMILTON ROAD  
APT 2  
COLUMBUS, OH 43213,

PLAINTIFF,

VS.

PHILIPS  
6501 LIVING PLACE  
PITTSBURGH, PA 15206,

DEFENDANT.

22CV-11-8093  
CASE NUMBER

\*\*\*\* SUMMONS \*\*\*\*

11/17/22

TO THE FOLLOWING NAMED DEFENDANT:

RESPIRONICS INC  
1001 MURRY RIDGE LANE  
MURRYSVILLE, PA 15668

YOU HAVE BEEN NAMED DEFENDANT IN A COMPLAINT FILED IN FRANKLIN COUNTY  
COURT OF COMMON PLEAS, FRANKLIN COUNTY HALL OF JUSTICE, COLUMBUS, OHIO,

BY: HARRY CROUTHERS  
494 SOUTH HAMILTON ROAD  
APT 2  
COLUMBUS, OH 43213,

PLAINTIFF(S).

A COPY OF THE COMPLAINT IS ATTACHED HERETO. THE NAME AND ADDRESS OF  
THE PLAINTIFF'S ATTORNEY IS:

TERRY V. HUMMEL  
ATTORNEY AT LAW  
SUITE 100  
115 WEST MAIN STREET  
COLUMBUS, OH 43215

YOU ARE HEREBY SUMMONED AND REQUIRED TO SERVE UPON THE PLAINTIFF'S  
ATTORNEY, OR UPON THE PLAINTIFF, IF HE HAS NO ATTORNEY OF RECORD, A COPY  
OF AN ANSWER TO THE COMPLAINT WITHIN TWENTY-EIGHT DAYS AFTER THE SERVICE  
OF THIS SUMMONS ON YOU, EXCLUSIVE OF THE DAY OF SERVICE. YOUR ANSWER  
MUST BE FILED WITH THE COURT WITHIN THREE DAYS AFTER THE SERVICE OF A  
COPY OF THE ANSWER ON THE PLAINTIFF'S ATTORNEY.

IF YOU FAIL TO APPEAR AND DEFEND, JUDGMENT BY DEFAULT WILL BE RENDERED  
AGAINST YOU FOR THE RELIEF DEMANDED IN THE COMPLAINT.

MARYELLEN O'SHAUGHNESSY  
CLERK OF THE COMMON PLEAS  
FRANKLIN COUNTY, OHIO

BY: JANIE STANLEY, DEPUTY CLERK

(CIV370-S03)



MARYELLEN O'SHAUGHNESSY  
CLERK OF THE FRANKLIN COUNTY COMMON PLEAS COURT, COLUMBUS, OHIO 43215  
CIVIL DIVISION

JUDGE M. SERROTT

HARRY CROUTHERS,  
ET. AL.,  
PLAINTIFF,

VS.

PHILIPS  
ET. AL.,  
DEFENDANT.

22CV-11-8093

CASE NUMBER

CLERK'S ORIGINAL CASE SCHEDULE  
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LATEST TIME OF OCCURRENCE

CASE FILED

11/17/22

INITIAL DISCLOSURES OF THE PARTIES [CIV. R. 26(B) (3)]

02/09/23

DISCOVERY CONFERENCE OF COUNSEL AND UNREPRESENTED PARTIES  
[CIV. R. 26(F)]

03/16/23

JOINT DISCOVERY PLAN TO BE FILED

14 DAYS AFTER DISCOVERY  
CONFERENCE

CASE MANAGEMENT CONFERENCE WITH COURT

SET UPON REQUEST TO CHAMBERS

EXPERT WITNESS [CIV. R. 26(B) (7)]

DISCLOSE IDENTITY - PARTY WITH BURDEN

06/15/23

DISCLOSE IDENTITY - PARTY WITHOUT BURDEN

NO LATER THAN 30 DAYS AFTER  
OPPOSING DISCLOSURE

EXPERT REPORT & CV DUE - PARTY WITH BURDEN

09/07/23

EXPERT REPORT & CV DUE - PARTY WITHOUT BURDEN

NO LATER THAN 60 DAYS AFTER  
OPPOSING REPORTS

DISPOSITIVE MOTION DEADLINE

04/04/24

DISCOVERY CUTOFF DATE

06/06/24

FINAL PRETRIAL CONFERENCE

SET UPON REQUEST TO CHAMBERS

TRIAL ASSIGNMENT

11/18/24 0900 AM



MARYELLEN O'SHAUGHNESSY  
CLERK OF THE FRANKLIN COUNTY COMMON PLEAS COURT, COLUMBUS, OHIO 43215  
CIVIL DIVISION

JUDGE M. SERROTT

HARRY CROUTHERS,  
ET. AL.,  
PLAINTIFF,

VS.

PHILIPS  
ET. AL.,  
DEFENDANT.

22CV-11-8093

CASE NUMBER

CLERK'S ORIGINAL CASE SCHEDULE  
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NOTICE TO ALL PARTIES

Attorneys and unrepresented parties must become familiar with the 2020 amendments to the Ohio Rules of Civil Procedure and this court's Local Rules.

The Original Case Schedule is an important tool to assist the parties and the court in meeting case management guidelines in the Ohio Superintendence Rules, and otherwise achieving timely disposition of civil cases notwithstanding the priority given to criminal cases under Crim. R. 50.

Judicial Officers of this court may modify the Original Case Schedule following receipt of the parties' Joint Discovery Plan, or for good cause at any other point in the case. However, it is essential for attorneys and unrepresented parties to pursue their cases diligently from the outset. Deadlines set in the Rules and in this Original Case Schedule are normally binding, not merely aspirational.

BY ORDER OF THE COURT OF COMMON PLEAS,  
FRANKLIN COUNTY, OHIO

MARYELLEN O'SHAUGHNESSY, CLERK

(CIV363-S10)



**MARYELLEN O'SHAUGHNESSY**

**FRANKLIN COUNTY CLERK OF COURTS  
GENERAL DIVISION, COURT OF COMMON PLEAS**

**CASE TITLE: HARRY CROUTHERS -VS- PHILIPS ET AL**

**CASE NUMBER: 22CV008093**

**TO THE CLERK OF COURTS, YOU ARE INSTRUCTED TO MAKE:  
CERTIFIED MAIL**

**DOCUMENTS TO BE SERVED:  
COMPLAINT**

**PROPOSED DOCUMENTS TO BE SERVED:**

**UPON:  
RESPIRONICS INC  
1001 MURRY RIDGE LANE  
MURRYSVILLE, PA 15668**

**PHILIPS  
6501 LIVING PLACE  
PITTSBURGH, PA 15206**

**JUVENILE CITATIONS ONLY:**

**HEARING TYPE:**

**\_\_ Date already scheduled at : Courtroom:**

**Electronically Requested by: TERRY V HUMMEL  
Attorney for:**



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**IN THE COURT OF COMMON PLEAS, FRANKLIN COUNTY, OHIO  
CIVIL DIVISION**

**HARRY CROUTHERS  
494 SOUTH HAMILTON ROAD, APT. 2  
COLUMBUS, OHIO 43213**

**PLAINTIFF,**

**CASE NO. \_\_\_\_\_**

**VS.**

**JUDGE \_\_\_\_\_**

**PHILIPS  
6501 LIVING PLACE  
PITTSBURGH, PA 15206**

**AND**

**RESPIRONICS, INC.  
1001 MURRY RIDGE LANE  
MURRYSVILLE, PA 15668**

**DEFENDANTS.**

**COMPLAINT**

1. On or before December 2020, Plaintiff, Harry Crouthers, was prescribed, purchased and regularly used a C-PAP machine named "Dream Station" designed, manufactured, distributed and sold by Defendants, Philips, and Respironics, Inc. in the United States to assist him with nighttime breathing, but which caused him to develop acute myeloid leukemia, resulting in the damages, injuries and consequences as hereinafter set forth.

2. On or after December 2020, Plaintiff, Harry Crouthers, discovered that C-PAP machines designed and manufactured by Defendants were defective and can cause various illnesses, including cancers and leukemia.

3. Defendants, Philips and Respironics, Inc., negligently and in violation of Ohio Product Liability Statute, R.C. 2307.71, et seq., manufactured, distributed and sold the C-PAP machine:

- a. that was defective in manufacture or construction as described in section 2307.74 of the Revised Code;
- b. that was defective in design or formulation as described in section 2307.75 of the Revised Code;
- c. that was defective due to inadequate warning or instruction as described in section 2307.76 of the Revised Code;
- d. that was defective because it did not conform to a representation made by its manufacturer as described in section 2307.77 of the Revised Code.

4. As a direct and proximate result of Defendants' negligence and violations of the Ohio Product Liability Statute, R.C. 2307.71, et seq., Plaintiff, Harry Crouthers, has:

- a. sustained severe injuries to his lungs, immune system, his blood vessels and bodily organs;
- b. suffered and will continue to suffer physical pain, mental anguish, and emotional distress;
- c. required and will continue to require medical care, attention, and treatment,, with resulting expenses;
- d. sustained and will continue to sustain a loss of earnings and earnings capacity,
- e. suffered and will continue to suffer impairment in the use of the affected areas of his body and a reduction in the quality and enjoyment of his life;

Said damages and injuries are permanent.

**WHEREFORE**, Plaintiff, Harry Crouthers, now demands judgment against Defendants, Philips and Respironics, Inc., in an amount in excess of Twenty-Five Thousand Dollars

(\$25,000.00) as compensatory damages, in addition to interest, and his costs incurred herein.

Respectfully submitted,

  
Terry V. Hummel (0025567)  
Megan Hayden (0093416)  
SCOTT W. SCHIFF & ASSOC. CO., LPA  
115 West Main St., Suite 100  
Columbus, Ohio 43215  
Tel: 614.621.8888  
Fax: 614.621.8814  
[thummel@schifflegal.com](mailto:thummel@schifflegal.com)  
[mhayden@schifflegal.com](mailto:mhayden@schifflegal.com)  
Attorney for Plaintiff

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MARYELLEN O'SHAUGHNESSY  
FRANKLIN COUNTY CLERK OF COURTS  
373 SOUTH HIGH STREET  
COLUMBUS, OHIO 43215-4579

**CERTIFIED MAIL**

**USPS CERTIFIED MAIL**



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US POSTAGE PAID PITNEY BOWES



ZIP 43215 \$ 007.44<sup>0</sup>  
02 4W  
0000361056 NOV 21 2022

22CV-11-8093 B ADDR: 1  
25567 TERRY V. HUMMEL

FORWARDING SERVICE REQUESTED

CROUT

RESPIRONICS INC  
1001 MURRY RIDGE LANE  
MURRYSVILLE, PA  
15668



1566822CV08093CROUT

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